

REMARKS

This Amendment is prepared in response to the first Office action mailed on February 28, 2006 (Paper No. 20060223). Claims 1-6, 11, 16, 17, 38-40, 42-44, 54, 58, 61, 66, 69, and 70 are amended. Claims 12-15, 25-37, 41, 51-53, 55, 59, 62-65, 67, and 73-81 are canceled without disclaiming the subject matter. New claims 82-108 are added. No new matter has been introduced in the new claims. Reexamination and reconsideration are respectfully requested.

Status of Claims

Claims 1-81 are pending.

Claims 11, 12, 66 and 67 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 1, 7-10, 13, 14, 16, 17, 19, 21-26, 38, 57-61, 63, 65, and 69 are rejected under 35 U.S.C. §102(b) as being anticipated by Ota *et al.*

Claims 1, 7-10, 13-17, 19, 21-24, 38, 57, 61, 63, 65, 68, and 69 are rejected under 35 U.S.C. §102(b) as being anticipated by the Japanese 5-278866A document.

Claims 15 and 68 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ota *et al.* in view of the Japanese 5-278866A document.

Claims 18 and 62 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ota *et al.* in view of Taniguchi *et al.*

Claims 11, 12, 66, and 67 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 2-6, 20, 27-37, 39-56, 64, and 70-81 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejection of claims 11 and 66 under 35 U.S.C. §112, second paragraph

Claims 11, 12, 66 and 67 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant amends claims 11 and 66 to clearly point out how the switching unit moves backward and forward with respect to the cassette. Applicant believes the amended claims 11 and 66 are definite, and therefore claims 12 and 67, which depend from claim 11 and 66, respectively, are definite. Withdrawal of the rejection is respectfully requested.

Regarding claim 1

Claim 1 is amended to include the feature recited in original claim 2. Applicant believes that the amended claim 1 is not anticipated by cited references, because none of the cited reference teaches “a panel movable with respect to a wall of the cassette, the panel having a plurality of signal apertures of the panel arranged in a predetermined pattern.” Entry and reexamination of the amended claim 1 are respectfully requested.

Rejection of Claim 38 under 35 U.S.C. §102(b)

Claim 38 is rejected under 35 U.S.C. §102(b) as being anticipated by Ota *et al.* (US Patent No. 5,655,764). Claim 38 is also rejected under 35 U.S.C. §102(b) as being anticipated by the Japanese document No. 5-278866A. Applicant traverses the Examiner's rejection for the following reasons.

In support of the rejection based on Ota *et al.* '764, the Examiner wrote:

“See Figures 10, 19, 20 which show a signal generating unit comprising a movable plate 35 interlocked with a media aligning guide mounted on a cassette so as to interact with a switching unit (shown in FIG. 10).”

Applicant submits that the Examiner's assertion is in error. Applicant's claim 38 reads in part “a signal generating unit being *interlocked with said first and second media aligning guides*, said signal generating unit generating a plurality of signal codes in response to *a current position of said first and second media aligning guides*.” Ota *et al.* '764, however, does not teach a signal generating unit being interlocked with said first and second media aligning guides.

Ota *et al.* '764 discloses paper side guides 15a and 15b, and paper rear edge guide 19.¹ FIG. 9 and FIG. 19 of Ota *et al.* '764 show paper rear edge guide 19 linked to signal output plate 35, which the Examiner interprets as “a signal generating unit” of Applicant's claim 38. Ota *et al.* '764, however, does not teach paper side guide 15a or 15b is interlocked to signal output plate 35. Paper side guides 15a and 15b merely restrict papers such a manner that the center of the lateral direction

¹ Ota *et al.* '764, FIG. 9.

of the papers accords with the center of the paper cassette 1.² Nowhere does Ota *et al.* '764 teach that side guide 15a or 15b is interlocked to signal output plate 35. Ota *et al.* '764 discloses that only paper rear edge guide 19 is linked to signal output plate 35. Therefore, there is no anticipation.

In support of the rejection based on Japanese document No. 5-278866A, the Examiner wrote:

“See Figures 2, 3, and 10 which show a signal generating unit 17 cooperating with a switching unit 25.”

Applicant submits that the Examiner's assertion is also in error. The Examiner interprets paper size identifying means 17 of Japanese document No. 5-278866A as “a signal generating unit” of Applicant claim 38. Japanese document No. 5-278866A shows paper width regulating plates 13A and 13B, and trailing edge regulating unit 15. Japanese document No. 5-278866A, however, does not teach that paper width regulating plate 13A or 13B, and trailing edge regulating unit 15 are interlocked with paper size identifying means 17.

Paper size identifying means 17 is provided with fixed tops 17A, 17B, and 17C, and manual switching top 17D.³ Japanese document No. 5-278866A teaches that tops 17A-17C is used for classification of sheet paper cassette, and identifies the 8.5" x 14" form P4 shown in FIG. 8 and Table 1,⁴ and that top 17D identifies two sorts of paper sizes (length of 14" and 11") which can be held in body 11 of the same cassette.⁵ Japanese document No. 5-278866A further teaches that top

² Ota *et al.* '764, col. 3, lines 57-61 and FIG. 5.

³ Japanese document No. 5-278866A, Abstract and paragraph 50.

⁴ Japanese document No. 5-278866A, paragraph 57.

⁵ Japanese document No. 5-278866A, paragraph 58.

17D is moved up and down by a user's manual operation. Therefore, according to the teaching of Japanese document No. 5-278866A, tops 17A-17C are fixed to identify the paper size held in the cassette, and manual switching top 17D is manually operated to choose a paper size from two sorts of paper sizes which can be held in the same cassette. Nowhere does Japanese document No. 5-278866A teach that paper size identifying means 17 is interlocked with paper width regulating plate 13A or 13B, and trailing edge regulating unit 15. Therefore, there is no anticipation.

Therefore, none of the references teaches the subject matter recited in claim 38. Withdrawal of the rejection is respectfully requested.

Rejection of Claim 69 under 35 U.S.C. §102(b)

Claim 69 is rejected under 35 U.S.C. §102(b) as being anticipated by Ota *et al.* (US Patent No. 5,655,764). Claim 69 is also rejected under 35 U.S.C. §102(b) as being anticipated by the Japanese document No. 5-278866A. Applicant traverses the Examiner's rejection with the same rationale as discussed regarding claim 38. Withdrawal of the rejection is respectfully requested.

Regarding claims 2-6, 16, 17, 38-40, 42-44, 54, 58, 61, 69, and 70

Claims 2-6, 16, 17, 38-40, 42-44, 54, 58, 61, 69, and 70 are amended for the purpose of clarity.

Regarding claims 82-108

Claims 82-108 are newly added by this amendment. No new matter has been presented in the new claims. A plain and ordinary meaning of the "pattern output unit" is, as recited in the claims,

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: apertures of predetermined pattern (a movable panel with apertures or fixed openings as disclosed
: in at least FIG. 2 of the specification) for outputting a signal code, and that a plain and ordinary
: meaning of the “obstructing unit” is, as recited in the claims, a member movable by the media
aligning guide for obstructing one or more of the apertures where the apertures are embodied as fixed
signal openings. Entry and examination of the new claims are respectfully requested.

Conclusion

In view of the above argument, all claims submitted are allowable and this application is believed to be in condition to be passed to issue. Reconsideration of the rejections is requested. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

A fee of \$400 is incurred by the filing of this Amendment for the addition of two independent claim in excess of three. Additionally, a fee of \$120.00 is incurred by filing of a petition for one month extension of time, set to expire on 28 June 2006. Applicant's check drawn to the order of Commissioner accompanies this Amendment. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

No other issues remaining, reconsideration and favorable action upon all of the claims now present in the application is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. E. Bushnell', is written over a horizontal line.

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